

**THE ATTACHED  
AMENDMENTS ARE  
SENATE AMENDMENTS  
TO BILLS  
THAT WILL BE  
HEARD ON THE  
*MESSAGE*  
CALENDAR**


**Wednesday, April 6, 2016**

**Conference Committee Report on  
House Bill No. 1276 / Senate Bill No. 913**

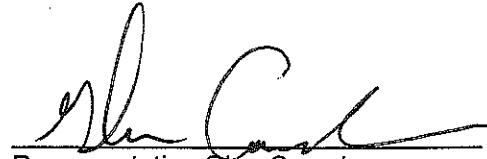
The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 1276 (Senate Bill No. 913) has met and recommends that the following amendments be deleted: House Amendment #1 (drafting code 4763).

The committee further recommends that Senate Amendment #1 (drafting code 6156) be adopted.

  
\_\_\_\_\_  
Senator Jack Johnson

  
\_\_\_\_\_  
Representative Charles Sargent

  
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Senator Bill Ketron

  
\_\_\_\_\_  
Representative Glen Casada

  
\_\_\_\_\_  
Senator Thelma Harper

  
\_\_\_\_\_  
Representative Darren Jernigan

CC0008



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SA0857

Amendment No. 2*Finnell A. Aile*

Signature of Sponsor

FILED

Date 3/23/16Time 1:19pmClerk AT

Comm. Amdt. \_\_\_\_\_

AMEND Senate Bill No. 1560

House Bill No. 1472\*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 32-1-104, is amended by designating the existing language as subsection (a) and adding the following as a new subsection (b):

(b) For wills executed prior to July 1, 2016, to the extent necessary for the will to be validly executed, witness signatures affixed to an affidavit meeting the requirements of § 32-2-110 shall be considered signatures to the will, provided that:

(1) The signatures are made at the same time as the testator signs the will and are made in accordance with subsection (a); and

(2) The affidavit contains language meeting all the requirements of subsection (a). If the witnesses signed the affidavit on the same day that the testator signed the will, it shall be presumed that the witnesses and the testator signed at the same time, unless rebutted by clear and convincing evidence. If, pursuant to this subsection (b), witness signatures on the affidavit are treated as signatures on the will, the affidavit shall not also serve as a self-proving affidavit under § 32-2-110. Nothing in this subsection shall affect, eliminate, or relax the requirement in subsection (a) that the testator sign the will.

SENATE ADOPTED

MAR 24 2016

*YANK*  
CHIEF CLERK

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring.



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SA0569

Amendment No. 1

Signature of Sponsor

FILED

Date 2/24/16Time 10:29Clerk WR

Comm. Amdt. \_\_\_\_\_

AMEND Senate Bill No. 2560

House Bill No. 1556\*

by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION \_\_\_\_ Any certification for an adventure tourism district that was issued by the department of economic and community development, and that was in effect on July 1, 2015, shall not expire until the earlier of the date that the department of tourist development issues a new certification or approval for such district or one (1) year following the date that the department of tourist development promulgates rules or adopts official guidance concerning the process whereby local governments may apply for certification or approval for an adventure tourism district.

SENATE ADOPTED

MAR 24 2016

CHIEF CLERK



0607341938



\*012606\*



SA0789

Amendment No. 1

*Janice Bowling*  
Signature of Sponsor

FILED

Date 3/16/16

Time 2:00pm

Clerk AT

Comm. Amdt. \_\_\_\_\_

AMEND Senate Bill No. 2377

House Bill No. 1679\*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 20, is amended by adding the following language as a new section:

(a) Notwithstanding § 20-12-119(c)(5)(A), if a claim is filed with a Tennessee or federal court, the Tennessee claims commission, board of claims, or any other judicial body established by the state or by a governmental entity of the state, against an employee of the state or of a governmental entity of the state in the person's individual capacity, and the claim arises from actions or omissions of the employee acting in an official capacity or under color of law, and that employee prevails in the proceeding as provided in this section, then the court or other judicial body on motion shall award reasonable attorneys' fees and costs incurred by the employee in defending the claim filed against the employee.

(b) For purposes of this section, the employee shall be the prevailing party if:

(1) The employee successfully defends the claim alleging individual liability; or

(2) The claim of individual liability is dismissed with or without prejudice after forty-five (45) days have elapsed after an answer or other responsive pleading is filed in which the employee asserts the employee was not acting within the employee's individual capacity at the time of the matters stated in the complaint.

TE ADOPTED

APR 4 2016

ADW  
EF CLERK



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\*014323\*

(c) The inclusion of an additional claim against the employee in official capacity in the same proceeding shall not preclude the employee from obtaining the remedies provided in this section that are related to the claim against the employee in individual capacity.

(d) Attorneys' fees and costs shall be paid to the state, or a governmental entity of the state, if either the state or the governmental entity represents, or retains and agrees to pay for counsel to represent, the employee sued in an individual capacity. If the state has not made such agreement, the attorneys' fees and costs shall be paid to the employee, or to counsel representing the employee. Attorneys' fees shall be calculated at a reasonable rate paid to attorneys of similar experience in private practice in the county where the proceeding is initiated.

SECTION 2. This act shall take effect June 1, 2016, the public welfare requiring it, and is applicable to claims filed on or after that date.



SA0906

Amendment No. 2

*Joey Hensley mo*  
Signature of Sponsor

FILED

Date 3/29/16

Time 10:42am

Clerk AT

Comm. Amdt. \_\_\_\_\_

AMEND Senate Bill No. 2234

House Bill No. 1888\*

by deleting SECTION 2 immediately preceding the effective date section and substituting instead the following:

SECTION 2. The chair of the emergency medical services board elected pursuant to § 68-140-303(e) is directed to notify the executive secretary of the Tennessee code commission and the chairs of the government operations committees of the senate and of the house of representatives by letter of the effective date for the compact enacted by this act.

SENATE ADOPTED

MAR 31 2016

*RKV*  
CHIEF CLERK



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